The Municipal Board

Annual Report 2006

Manitoba

2007-04599/

THE MUNICIPAL BOARD OF MANITOBA

1144 - 363 Broadway
Winnipeg, Manitoba R3C 3N9

February 21, 2007

Honourable Steve Ashton
Minister of Intergovernmental Affairs
Room 301 - Legislative Building
Winnipeg, MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2006.

Yours Respectfully,

Peter Diamant
Peter G. Diamant
Chair

THE MUNICIPAL BOARD

ANNUAL REPORT FOR THE YEAR ENDING

DECEMBER 31, 2006

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REMARKS FROM THE CHAIR

The Municipal Board is established under *The Municipal Board Act* and, under Section 106(1), is required to report annually to the Minister of Intergovernmental Affairs on the activities of the Board for the previous year.

The full complement of the Board, as of December 31, 2006, is 38 Members, including the Chair, Vice Chair and 5 Acting Chairs. The Board holds regular meetings of the Acting Chairs to keep Acting Chairs and Members informed of the complex issues facing the Board. A number of the Board Members attended the Manitoba Council of Administrative Tribunals' annual conference and the Acting Chairs participated in a decision writing course.

A summary of the applications made to the Board over the past year is set out on page 7 of this Report. As of January 1, 2006, there were 1,234 outstanding applications, appeals and referrals, of which 1,025 were Winnipeg Assessment Appeals. During the year, 760 new matters were received and 890 matters were dealt with leaving 1,104 outstanding applications, appeals and referrals as of December 31, 2006.

The Board has duties and responsibilities assigned to it under a number of Acts of the Legislature. The majority of the Board's activities, however, are directed towards Assessment Appeals under *The Municipal Assessment Act* and *The City of Winnipeg Charter*. Of the 1,994 applications, appeals and referrals before the Board during 2006, 1804, or 90.5%, were Appeals respecting the assessment and classification of property. Of those, 1,558 Appeals were for properties in The City of Winnipeg.

The general reassessment in 2005 of all properties in Manitoba has resulted in an increase in the number of Assessment Appeals before the Board. In order to reduce the backlog, the Board will continue with the Case Management strategy initiated during the previous assessment cycle. Many of the appeals are for high value commercial properties and the hearings are complex, with the parties represented by legal counsel. As a result, The City of Winnipeg and some of the owner's agents have difficulty scheduling hearings for Appeals. The Board is discussing with the Assessors and the Agents the scheduling of Appeals of the various types of properties as test cases to facilitate the Case Management process.

The number of hearings and referrals relating to *The Planning Act* and *The Municipal Act* has remained constant. The Board did not hold any inquires of its own motion in 2006, nor did it issue any licenses, permits or certificates. The fees collected by the Board are summarized on page 37. The Board continues to expand and improve its Website, www.gov.mb.ca/municipalboard, to assist applicants in preparing and presenting their appeals. The Rules and Regulations also are being reviewed to clarify the procedures of the Board.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. The Members have responded to the increase in the complexity and length of hearings with dedication and commitment to the process. As Chair, I must acknowledge the significant role of the Administration and Staff in ensuring that the Board functions smoothly and efficiently. The Staff's hard work plays an important part in the Board meeting the challenges it faces. I thank them for their contribution to the success of The Municipal Board in carrying out its mandate.

Peter Diamant

Peter G. Diamant
Chair

REMARQUES DU PRÉSIDENT

La Commission municipale est établie en vertu de la *Loi sur la Commission municipale* et, conformément au paragraphe 106(1) de cette loi, elle doit faire rapport tous les ans au ministre des Affaires intergouvernementales sur ses activités au cours de l'année qui vient de s'écouler.

Au 31 décembre 2006, la Commission municipale comptait 38 membres, notamment le président, le vice-président et cinq présidents suppléants. La Commission organise des réunions ordinaires des présidents suppléants afin de tenir les présidents suppléants et les autres membres au courant des questions complexes dont elle doit s'occuper. Un certain nombre des membres de la Commission ont participé à la conférence annuelle du Manitoba Council of Administrative Tribunals (conseil manitobain des tribunaux administratifs) et les présidents suppléants ont suivi un cours de rédaction de décisions.

On trouvera, à la page 7 du présent rapport, un sommaire des demandes soumises à la Commission au cours de la dernière année. Au 1er janvier 2006, 1 234 demandes, appels et renvois étaient en instance devant la Commission, dont 1 025 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 760 nouvelles affaires et a traité 890 demandes, ce qui a laissé en tout, au 31 décembre 2006, 1 104 demandes, appels et renvois en suspens.

Des fonctions et des responsabilités sont conférées à la Commission par un certain nombre de lois de l'Assemblée législative. La majorité des activités de la Commission sont toutefois axées sur les appels liés à l'évaluation déposés en vertu de la *Loi sur l'évaluation municipale* et de la *Charte de la Ville de Winnipeg*. Parmi les 1 994 demandes, appels et renvois devant la Commission durant 2006, 1 804 d'entre eux, soit 90,5 %, étaient des appels liés à l'évaluation et à la classification de biens. De ces appels, 1 558 visaient des biens dans la ville de Winnipeg.

La réévaluation générale de tous les biens au Manitoba en 2005 a entraîné une augmentation du nombre d'appels liés à l'évaluation reçus par la Commission. Afin de réduire le nombre d'appels en suspens, la Commission poursuivra la stratégie de gestion des cas établie durant le cycle d'évaluation précédent. Un grand nombre d'appels ont été interjetés contre l'évaluation de biens commerciaux à valeur élevée. Les appels pour ce type de biens sont complexes et les parties sont représentées par des avocats. Par conséquent, la Ville de Winnipeg et certains agents des propriétaires ont quelques difficultés à fixer des audiences pour les appels. La Commission discute avec les évaluateurs et les agents de l'établissement d'un calendrier des appels relatifs aux divers types de biens. Ces appels serviront de causes types afin de faciliter le processus de gestion des cas.

Le nombre d'audiences et de renvois liés à la *Loi sur l'aménagement du territoire* et la *Loi sur les municipalités* est demeuré constant. En 2006, la Commission n'a pas mené d'enquêtes de son propre chef et n'a pas non plus délivré de licences, de permis ou de certificats. On trouvera à la page 37 du présent rapport le sommaire des droits perçus par la Commission. Le site Web de la Commission, à l'adresse www.gov.mb.ca/municipalboard (en anglais seulement), continu d'être élargi et amélioré pour permettre d'aider les requérants à préparer et à présenter leur appel. En outre, les règles et règlements sont en voie de révision pour clarifier les procédures de la Commission.

En terminant, j'aimerais exprimer mes remerciements et ma gratitude à tous les membres de la Commission pour leur collaboration et leur appui. Ils ont répondu à l'augmentation de la complexité et de la durée des audiences avec dévouement et persévérance. En tant que président, je me dois de saluer le rôle important joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. Grâce à leurs efforts soutenus, la Commission peut relever les défis qui se présentent à elle. Je les remercie de leur contribution au succès de la Commission dans l'exécution de son mandat.

Le président,

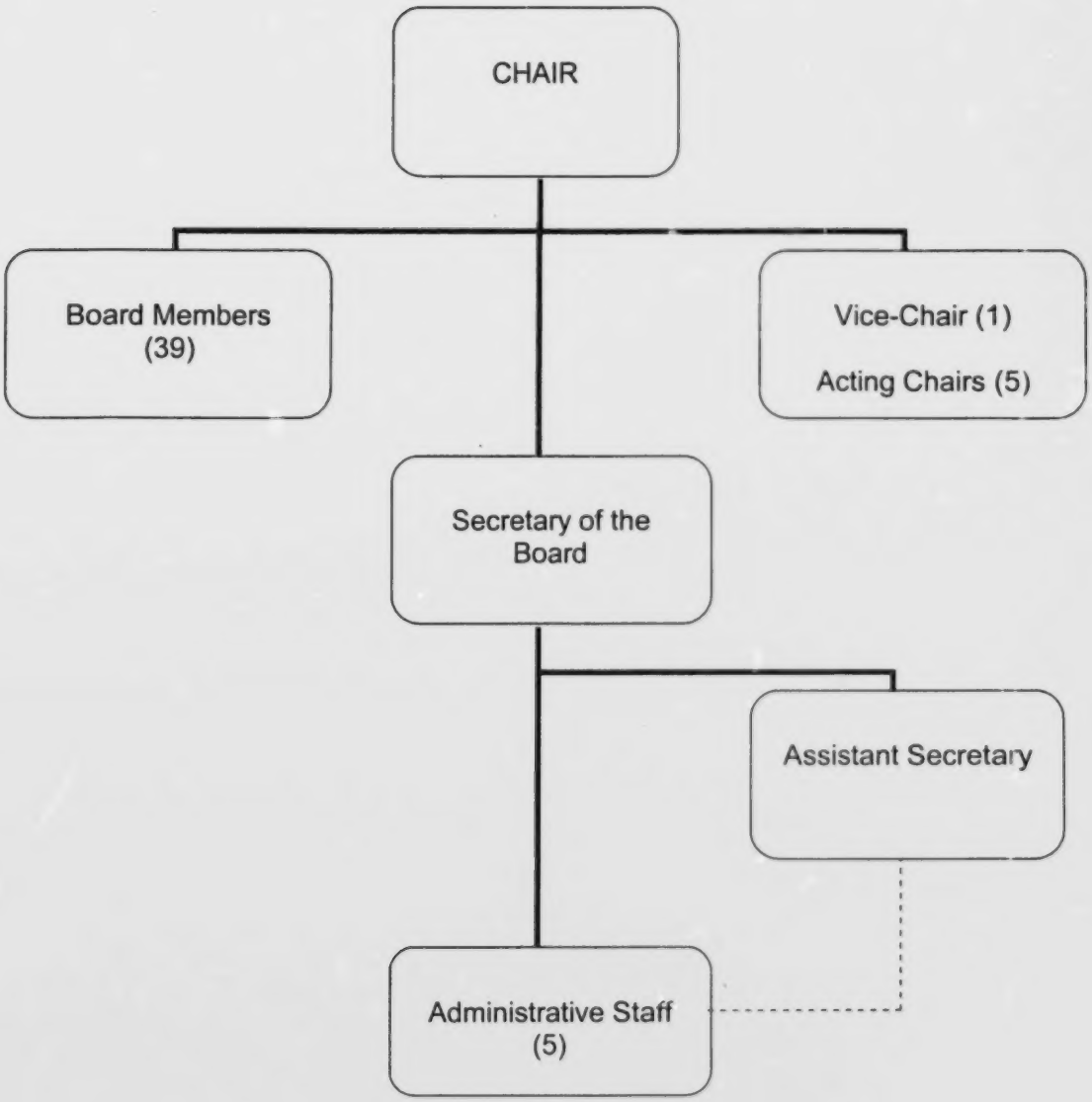
Peter Diamant

Peter G. Diamant

THE MUNICIPAL BOARD

ORGANIZATION CHART

2006



THE MUNICIPAL BOARD OF MANITOBA

ROLE

Section 15(2) of *The Municipal Board* Act states:

"The board shall sit at such times and places within the province as the chairman may designate; and it shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of business".

MISSION STATEMENT

To deal with matters that come before the Board in a fair, impartial and timely manner.

GOALS

- To process appeals and applications as expeditiously as possible.
- To conduct hearings in accordance with legislative procedures and natural justice for all parties involved.
- To render readable, reliable and quality decisions in a timely manner.
- To communicate with the general public on the role of the Board and the appeal process.
- To review and update Board policies and procedures to ensure service is provided in a timely manner and in accordance with the applicable legislation.
- To review and update administrative procedures.

THE MUNICIPAL BOARD OF MANITOBA

Peter G. Diamant, Chair

MEMBERS (2006)

Inongé Aliaga LaBun, Winnipeg
Bill Barlow, Gimli
Ardythe Basham, Winnipeg
John Blewett, Winnipeg
Stuart Briese, Langford
Grant Buchanan, The Pas
George Corbett, Winnipeg
Douglas Dobchuk, Winnipeg
Neil Harden, Winnipeg
Ed Hart, Minitonas
William Hinther, Winnipeg
Jim Husiak, Winnipeg
Cyril Keeper, Winnipeg
Don Kille, Brandon
Leonard Kimacovich, Winnipeg
Dave Lethbridge, Stonewall
Robert G. Loiselle, Winnipeg
Nora Losey, Winnipeg
Budd Mager, Lac du Bonnet
Greg Mandzuk, Winnipeg
Ross Martin, Winnipeg
Monique Mulaire, Winnipeg
Rod Murphy, Thompson
Jim Neil, Winnipeg
Russell Newton, Neepawa
Jack Nicol, Dugald
Charlotte Onski, Winnipeg
Chris Pawley, Selkirk
John Plohman, Winnipeg
Arthur Proulx, Winnipeg
Garth Rice, Brandon
Mario Santos, Winnipeg
Leona Schroeder, Winnipeg
Meir Serfaty, Brandon
Wendy Sigmar, Winnipeg
Michelle Smith, Lorette
Lawrence Paul Stene, Winnipeg
Morgan Svendson, Winnipeg
Darlene Swiderski, Selkirk
Frank Thibedeau, Powerview
Ram Tiwari, Winnipeg
Sudesh K. Treon, Winnipeg
Marilyn Walder, Winnipeg
Grant Wichenko, Winnipeg

Denis Guénette, Vice Chair
Rose Gibbons, Secretary of the Board

EMPLOYEES

Assistant Secretary	Laurette Greenlay
Administrative Secretary	Mary Jarowec
Administrative Secretary	Pat Markotjohn
Administrative Secretary	Elaine Pociuk
Administrative Secretary	Shelley Riopka
Administrative Secretary	Leona Van Osch

SUMMARY OF CASE MANAGEMENT FILES (2006)

	2005	2006
Number of Files as at January 1, 2006	273	32
New files as at January 1, 2006		0
		32

Number of Files Disposed of:

	2005	2006
Resolved	139	22
Withdrawn	37	8
Proceed to Hearing	97	2
Number of Files Scheduled for hearing	65	31
Number of Files Scheduled for hearing, and		
- Resolved prior to Hearing	5	26
- Withdrawn prior to Hearing	8	3

Total Number of Files Disposed of at December 31st	189	32
Number of Outstanding Files to be scheduled at December 31st	32	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

CONSOLIDATED SUMMARY OF ACTIVITY

A summary of all Applications, Appeals and Referrals set forth on pages 9 to 29.

	2005	2006
Applications, Appeals and Referrals Outstanding as at January 1st	1,087	1,234
New Applications, Appeals and Referrals Received	935	760
	2,022	1,994

Applications, Appeals and Referrals Disposed of:

	2005	2006		
Applications Approved and Appeals Allowed	534	507		
Applications Rejected and Appeals Dismissed	58	97		
Reports and Recommendations Submitted	17	10		
Applications, Appeals and Referrals Withdrawn and/or Closed by Minute	179	276		
			788	890
Applications, Appeals and Referrals Outstanding as at December 31st			**1,234**	**1,104**

MISCELLANEOUS ACTS

The Municipal Board has responsibilities under other Statutes, but under which it has had no applications or active files in 2006.

The Acts are as follows:

City of Winnipeg Charter, S.M. 2002, c.39

The Expropriation Act, R.S.M. 1987, c.E190

The Health Services Insurance Act, R.S.M. c.H35

The Heritage Resources Act, S.M. 1985-86, c.10 - Cap. H39.1

The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60

The Public Libraries Act, R.S.M. 1987, c.P220

The Public Schools Act, R.S.M. 1987, c.P250

The Water Resources Administration Act, R.S.M. 1987, c.W70

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

	2005	2006
Applications Outstanding as at January 1st	4	3
Applications Received	2	2
	6	5

Applications Disposed of:

	2005	2006		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	3	4		
Applications Withdrawn and/or Closed by Minute	0	0		
			3	4
Applications Outstanding as at December 31st			3	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications for approval of borrowing: Section 172 *et seq.*

	2005	2006
Applications Outstanding as at January 1st	2	0
Applications Received	9	28
	10	28

Applications Disposed of:

	2005	2006
Applications Approved	27	28
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	27	28
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting local improvements: Sections 311 & 320

	2005	2006
Applications Outstanding as at January 1st	8	2
Applications Received	61	50
	69	52

Applications Disposed of:

	2005	2006
Applications Approved	65	48
Applications Rejected	1	0
Applications Withdrawn and/or Closed by Minute	1	1
	67	49
Applications Outstanding as at December 31st	**2**	**3**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

	2005	2006
Applications Outstanding as at January 1st	1	0
Applications Received	9	23
	10	23

Applications Disposed of:

	2005	2006
Applications Approved	10	22
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	10	22
Applications Outstanding as at December 31st	0	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ACT, S.M. 1996, c.58 - Cap. M225

Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)

	2005	2006
Applications outstanding as at January 1st	1	0
Applications received as at January 1st	0	1
	1	1

Applications Disposed of:

	2005	2006
Applications Allowed	0	0
Application Dismissed	0	1
Applications Referred back to Council for further consideration	1	0
Applications Withdrawn and/or Closed by Minute	0	0
	1	1
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property in The City of Winnipeg: Section 56(2)

		2005	2006
Appeals Outstanding as at January 1st		985	1,021
*	Appeals Received	628	537
		1,613	1,558

Appeals Disposed of:

		2005	2006		
**	Appeals Allowed	392	304		
	Appeals Dismissed	34	61		
	Appeals Withdrawn and/or Closed by Minute	166	168		
				592	533
	Appeals Outstanding as at December 31st			**1,021**	**1,025**

* Includes appeals by the Assessor for The City of Winnipeg as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property outside The City of Winnipeg: Section 56(2)

		2005	2006
	Appeals Outstanding as at January 1st	62	174
*	Appeals Received	142	72
		204	246

Appeals Disposed of:

		2005	2006
**	Appeals Allowed	20	77
	Appeals Dismissed	6	19
	Appeals Withdrawn and/or Closed by Minute	4	97
		30	193
	Appeals Outstanding as at December 31st	174	53

* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, C.24 Cap. M226

Applications to have assessments redone: Section 60(3)

	2005	2006
Applications Outstanding as at January 1st	0	0
Applications Received	0	0
	0	0

Applications Disposed of:

	2005	2006
Applications Allowed	0	0
Applications Dismissed	0	0
Applications Withdrawn, and/or Closed by Minute	0	0

	0	0
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)

	2005	2006
Applications Outstanding as at January 1st	5	2
Applications Received	9	7
	14	9

Applications Disposed of:

	2005	2006
Orders Revised	3	3
Applications Rejected	9	4
Applications Withdrawn and/or Closed by Minute	0	0
	12	7
Applications Outstanding as at December 31st	2	2

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to vary, cancel, or substitute a Building Restriction Caveat: Section 104(1) *et seq.*

	2005	2006
Applications Outstanding as at January 1st	0	2
Applications Received	6	6
	6	8

Applications Disposed of:

	2005	2006
Applications Granted	3	7
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	1	1
	4	8
Applications Outstanding as at December 31st	2	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications for Cancellation of Plans of Subdivision: Section 95(1)

	2005	2006
Applications Outstanding as at January 1st	0	1
Applications Received	1	0
	1	1

Applications Disposed of:

	2005	2006
Applications Granted	0	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	0	1
Applications Outstanding as at December 31st	1	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Complaint that a Local Authority, Corporation or any person has unlawfully done or unlawfully failed to do, or is about to unlawfully do or not to do something relating to a matter over which The Municipal Board has jurisdiction: Section 34

	2005	2006
Applications Outstanding as at January 1st	0	0
Applications Received	0	1
	0	1

Applications Disposed of:

	2005	2006
Applications Granted	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	0	0
Applications Outstanding as at December 31st	**0**	**1**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications to establish a Planning District or to withdraw from a Planning District referred to the Board by the Minister: Section 12(1) *et seq.*

	2005	2006
Referrals Outstanding as at January 1st	0	0
Referrals Received	2	0
	2	0

Referrals Disposed of:

	2005	2006		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	2	0		
Referrals Withdrawn and/or Closed by Minute	0	0		
			2	0
Referrals Outstanding as at December 31st			0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE PLANNING ACT, R.S.M. 1987, c.P80

Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) *et seq.*

	2005	2006
Referrals Outstanding as at January 1st	7	4
Referrals Received	9	5
	16	9

Referrals Disposed of:

	2005	2006		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	12	6		
Referrals Withdrawn and/or Closed by Minute	0	0		
			12	6
Referrals Outstanding as at December 31st			4	3

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications for approval of Zoning By-laws: Section 43(1) *et seq.*

	2005	2006
Applications Outstanding as at January 1st	2	2
Applications Received	7	9
	9	11

Applications Disposed of:

	2005	2006		
Applications Approved	7	7		
Applications Rejected	0	0		
Applications Withdrawn and/or Closed by Minute	0	2		
			7	9
Applications Outstanding as at December 31st			2	2

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2005)

THE PLANNING ACT, R.S.M. 1987, c.P80

Appeals from decisions of the Approving Authority (subdivision of land): Section 68(1) *et seq.*

	2005	2006
Appeals Outstanding as at January 1st	4	8
Appeals Received	18	12
	22	20

Appeals Disposed of:

	2005	2006
Appeals Allowed	5	6
Appeals Dismissed	4	4
Appeals Withdrawn and/or Closed by Minute	5	4
	14	14
Appeals Outstanding as at December 31st	8	6

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE WATER RIGHTS ACT, R.S.M. 1988, c.W280

Appeals against an order or decision of the Minister under this Act: Section 24

	2005	2006
Appeals Outstanding as at January 1st	6	13
Appeals Received	12	3
	18	16

Appeals Disposed of:

	2005	2006
Appeals Allowed	0	0
Appeals Dismissed	3	8
Appeals Withdrawn and/or Closed by Minute	2	2
	5	10
Appeals Outstanding as at December 31st	13	6

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE SPECIAL SURVEY ACT, R.S.M. 1987, c.S190

Complaints against Plan of Special Survey: Section 6

	2005	2006
Applications Outstanding as at January 1st	0	1
Applications Received	1	1
	1	2

Applications Disposed of:

	2005	2006		
Applications Allowed	0	0		
Applications Dismissed	0	0		
Applications Withdrawn and/or Closed by Minute	0	1		
			0	1
Referrals Outstanding as at December 31st			1	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Municipal Public Libraries: Section 9(2)

	2005	2006
Applications Outstanding as at January 1st	0	0
Applications Received	0	0
	0	0

Applications Disposed of:

	2005	2006
Applications Approved	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	0	0
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Regional Public Libraries: Section 22(2)

	2005	2006
Applications Outstanding as at January 1st	0	0
Applications Received	2	2
	2	2

Applications Disposed of:

	2005	2006
Applications Approved	2	2
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	2	2
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE REAL PROPERTY ACT, R.S.M. 1988, c.R30

Application to dispose with signature of non-consenting owner/caveator in regard to plan of subdivision: Section 117(g)

	2005	2006
Applications Outstanding as at January 1st	0	1
Applications Received	1	0
	1	1

Applications Disposed of:

	2005	2006
Applications Approved	0	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	0	1
Applications Outstanding as at December 31st	1	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2005 & 2006)

THE REGIONAL WASTE MANAGEMENT AUTHORITIES ACT, S.M. 1993, c.11 Cap. R38

Application to authorize capital expenditures and bonds, debentures or other securities:

	2005	2006
Applications Outstanding as at January 1st	0	0
Applications Received	0	1
	0	1

Applications Disposed of:

	2005	2006
Applications Approved	0	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	0	1
Applications Outstanding as at December 31st	0	0

CAPITAL BORROWING OF LOCAL AUTHORITIES

The 2006 activity relating to Municipal borrowing has decreased from that of 2005. This is indicated in the number of applications received and the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:

	2005	2006
New Applications	85	60
Borrowing Authorized		
Water and Sewer	$17,778,348	$23,218,020
Streets, Sidewalks, Lighting	3,363,288	4,046,295
Municipal Buildings, Libraries, Community Centres, Arenas	22,380,936	3,500,000
Machinery and Equipment	381,160	3,694,354
Natural Gas	490,648	0
Land Purchases and Development	3,452,535	970,000
Other	4,376,667	2,261,667
TOTAL	$52,223,582	$37,690,336

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 33 to 36 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2006 as compared to 2005 are summarized as follows:

PURCHASER	2005	2006
Credit Unions	$ 5,790,650	$ 1,553,413
Banks	184,000	3,350,000
General Public	0	258,861
Fiscal Agent	867,802	1,400,545
Municipal Reserve Funds	432,838	534,276
Minister of Finance	10,416,502	9,564,930
TOTAL	$17,691,792	$16,662,025

The interest rates payable by Municipalities on debentures issued in 2006 have remained relatively constant with 2005 rates. A comparison of average interest rates, weighted according To Whom It May Concern: each class of purchase is summarized as follows:

PURCHASER	2005	2006
Credit Unions	**5.41%**	**5.51%**
Banks	**5.05%**	**5.59%**
General Public	**N/A%**	**5.125%**
Fiscal Agent	**5.625%**	**4.415%**
Municipal Reserve Funds	**4.89%**	**5.62%**
Minister of Finance	**5.53%**	**5.42%**

The Municipal Board issued a total of 184 municipal borrowing By-law Board Orders. These Board Orders authorized, but were not limited to, the following:

a) authorization of certain projects and the borrowing of monies;

b) the issuance of debentures;

c) the reduction or increase of the authorized borrowing; and

d) the cancellation of authorized but unissued borrowing.

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2005

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Alexander, R.M.	E-06-162	7.50	15		400,000.00					
Alexander, R.M.	E-06-183	8.00	15							350,000.00
Altona, Town	E-06-118	2.00	10							160,000.00
Beausejour, Town	E-06-146	10.00	20	341,050.00						
Bifrost, R.M.	E-06-014	4.25	35 mths					670,000.00		
Brandon, City	E-06-109	5.50	20						2,656,000.00	
Brokenhead, R.M.	E-06-148	8.00	20					300,000.00		
Coldwell, R.M.	E-06-058	6.00	1						30,010.00	
Coldwell, R.M.	E-06-094	0	5				60,000.00			
Dauphin, R.M.	E-06-009	7.00	20							1,666,667.00
DeSalaberry, R.M.	E-06-128	8.00	20	270,000.00						
Dufferin, R.M.	E-06-112	6.00	10	62,500.00						
Ethelbert, R.M.	E-06-133	4.50	10						194,804.20	
Gimli, R.M.	E-06-093	7.50	25	4,000,000.00						
Gladstone, Town	E-06-077	8.00	15		400,000.00					
Grey, R.M.	E-06-076	6.25	10	63,000.00						
Hamiota, Town	E-06-136	7.25	10					295,000.00		
Hanover, R.M.	E-06-074	8.00	5					600,000.00		
Hanover, R.M.	E-06-075	8.00	10	2,000,000.00						
Hanover, R.M.	E-06-185	10.00	5					125,000.00		

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2005

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Hartney, Town	E-06-184	7.00	10	232,000.00						
Lac du Bonnet, R.M.	E-06-073	7.00 (max)	5						143,460.00	
Lawrence, R.M.	E-06-078	6.25	5						145,460.00	
Lorne, R.M.	E-06-019	7.25	10						40,000.00	
Lorne, R.M.	E-06-156	7.50	5						45,000.00	
Louise, R.M.	E-06-144	7.00	10					100,000,00		
MacDonald, R.M.	E-06-164	6.50	5	185,250.00						
Melita, Town	E-06-110	8.00	20	1,500,000.00						
Minnedosa, Town	E-06-129	7.00	20	2,000,000.00						
Morden, Town	E-06-085	7.50	10		2,000,000.00					
Morden, Town	E-06-104	7.50	10					85,000.00		
Morden, Town	E-06-105	7.50	10					81,000.00		
Morden, Town	E-06-106	7.50	10					81,000.00		
Morden, Town	E-06-168	7.50	10					95,295.00		
Morris, R.M.	E-06-111	5.63	10	360,000.00						
Morris, R.M.	E-06-124	7.00	10	465,000.00						
Niverville, Town	E-06-036	7.00	15					60,000.00		
Niverville, Town	E-06-037	7.00	20	1,800,000.00						
North Norfolk, R.M.	E-06-138	7.875	20					464,000.00		
Park, R.M.	E-06-053	7.50	20	2,471,486.00						

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2005

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Portage la Prairie, R.M.	E-06-057	7.00	20	1,366,800.00						
Riverton, Village	E-06-122	7.00	9						175,000.00	
South Norfolk, R.M.	E-06-083	7.00	7						168,320.00	
Springfield, R.M.	E-06-172	8.00	20	410,494.00						
St. Francois Xavier, R.M.	E-06-050	7.375	20	725,940.00						
St. Pierre-Jolys, Village	E-06-116	6.00	10				110,000.00			
Steinbach, City	E-06-005	7.00	5					220,000.00		
Tache, R.M.	E-06-145	7.25	10	40,000.00						
Treherne, Town	E-06-100	7.00	7							85,000.00
Victoria Beach, R.M.	E-06-151	7.63	10	2,840,500.00						
Virden, Town	E-06-125	7.00	5					220,000.00		
Virden, Town	E-06-153	8.00	20	350,000.00						
Westbourne, R.M.	E-06-101	7.00	15	297,000.00						
Whitemouth, R.M.	E-06-067	7.50	3						96,300.00	
Whitewater, R.M.	E-06-113	5.38	10	137,000.00						
Winkler, City	E-06-062	7.50	5				800,000.00			
Winkler, City	E-06-065	6.50	14		700,000.00					
Winkler, City	E-06-089	6.50	10					400,000.00		
Winkler, City	E-06-102	6.50	15	1,300,000.00						

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2005

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Winkler, City	E-06-108	6.50	10	0				250,000.00		

REVENUE
FOR THE 12 MONTH PERIOD ENDING
DECEMBER 31, 2006
(unaudited)

REVENUE

	Fees	2005	2006
	The Municipal Act	$ 24,314.00	$ 23,243.00
*	The Municipal Assessment Act	89,771.10	92,084.42
	The Planning Act	1,850.00	1,250.00
	Miscellaneous Acts	1,500.00	900.00
	Distribution of Board Orders, Xerox Recoveries, etc.	4,629.40	3,824.10
	GST	329.31	259.51
	TOTAL REVENUE	**$122,393.81**	**$121,561.03**
	Less Refunds	$ 43,299.50	37,880.00
	NET REVENUE	**$ 79,094.31**	**$ 83,681.03**

* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.